

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 258 - SB 579

February 4, 2023

SUMMARY OF BILL: Shifts, from the State Board of Education (SBE) to the local board of education, the responsibility to: 1) require annual physical and mental examinations of school bus drivers; and 2) revoke a certificate issued to a school bus driver for certain proscribed offenses. Expands the list of offenses for which a local board of education may revoke the certificate of a school bus driver. Requires the Department of Education (DOE) and the Department of Safety (DOS) to develop and approve certain specifications and safety features for school buses. Shifts, from SBE to DOS, certain oversight of school buses and rule-making authority.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The proposed legislation reassigns responsibility and oversight pertaining to school transportation and, as part of such reassignment, shifts certain responsibilities away from SBE. Based on information provided by SBE, any decrease in state expenditures associated with the decrease in responsibilities will be not significant.
- Federal regulations, under CFR 391.43, currently require employers of school bus drivers to administer annual health and medical examinations to certify their drivers. According to DOE, this requirement is federally administered by the Federal Motor Carrier Safety Administration, state overseen by DOS, and locally implemented by local education agencies.
- Shifting the responsibility of requiring annual physical and mental examinations of school bus drivers under state law to local boards of education, rather than SBE, will, therefore, align state law more closely to federal laws and will not result in a significant increase in local expenditures.
- Any fiscal impact associated with any increase in the number of school bus driver certificate revocations is estimated to be not significant.
- Tennessee Code Annotated 49-6-2109(b) authorizes DOS to conduct inspections of all school buses against the State's school bus operations. DOS does so in accordance with DOS' Rules and Regulations for School Bus Inspection Procedures, Chapter 1340-03-03.
- SBE does not have staff solely dedicated to the responsibilities that are being shifted from SBE to DOS pursuant to this legislation. Therefore, based on DOS's current

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responsibilities and SBE's input on current workload requirements, it is assumed that additional responsibilities placed on DOS will be accommodated utilizing existing resources, without a significant increase in state expenditures.

- DOE will be able to comply with the requirements of the proposed legislation within existing resources, without a significant increase in state expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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